



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

January 19, 2021

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Elliott called the meeting to order at 6:00 p.m.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. Kenneth Terry Jackson, Jr. addressed Council utilizing a PowerPoint presentation entitled “Proposed Speedway Gas Station/Truck Stop” [copy filed with backup materials] and gave a brief presentation.

Mr. Mike Smith addressed Council utilizing a PowerPoint presentation [copy filed with backup materials] and requested funding for a greenway system feasibility study.

Mr. Peter Barnes, President of Keowee Division Homeowners Association, addressed Council utilizing a handout [copy filed with backup materials] regarding storm water management and a lighting concern.

Ms. Martha Steele addressed Council and thanked the Planning Commission for creating design standards

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for eight specified corridors in Oconee County and the safety concern of Hwy. 130.

Mr. Elliott noted the Clerk to Council received eleven [11] emails with sixteen [16] signatures which all support a greenway system. He noted in consideration of time, he read two submissions which are representatives of all messages [copy of all emails filed with backup materials].

County Council Response to Public Comment

Mr. Durham noted he would be introducing a resolution to be placed on the February 2, 2021 Council agenda.

Mr. Elliott noted the greenway system on Hwy. 11 near the Town of Salem would be revitalization for the northern part of the County. He also noted he has been contacted by the Town of Salem, The Cliffs, and residents of Keowee Key concerning the lack of an urgent care availability.

Mr. Davis responded to Mr. Jackson's comments and also noted the greenway system encourages community development.

Mr. Cain noted he appreciated the issues being brought to their attention. He noted with growth there comes impact not only to property owners but also the environment.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Durham led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the January 5, 2021 Regular Minutes as presented.

Administrator's Comments

Ms. Brock addressed Council and citizens with the following:

- Year ending 2020 financials [copy filed with backup materials] which is the halfway point for the fiscal year
- Thanked the individuals that are interested in serving on the Boards/Commissions

Attorney's Comments

Mr. Root noted if Ordinance 2021-06 is passed on first reading, this will need to go to the Planning Commission for a public hearing.

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OCCB FUNDING APPROVAL REQUESTS

Peggy Moore – 58.6 acres – Oconee County Conservation Bank Board Conservation Easement

OCCB unanimously approved on Tuesday, December 15, 2020 for Council to approve funding in the amount of \$10,000 for a conservation easement to Oconee Soil & Water Conservation District.

Mr. Andrew Smith, Chairman of Conservation Bank Board [OCCB] addressed Council and gave an overview of the conservation easement.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the funding in the amount of \$10,000 for a conservation easement to Oconee Soil & Water Conservation District.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearing, please contact Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

No citizen contacted the Clerk to Council regarding the Public Hearing

Ordinance 2020-23 “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO THE CITY OF SENECA AT THE SENECA RAIL PARK FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING PIPELINES, MANHOLES, AND RELATED ITEMS FOR THE PURPOSE OF CONVEYING POTABLE WATER, OR SANITARY SEWAGE / INDUSTRIAL WASTE; AND OTHER MATTERS RELATED THERETO.”

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council, Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2020-23**.

Third Reading of the Following Ordinances

Ordinance 2020-23 [see caption above]

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2020-23** on 3rd & final reading.

Second Reading of the Following Ordinances

Ordinance 2020-24 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE

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COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE REMOVAL OF “*DISTANCE REQUIREMENTS*” CURRENTLY FOUND AT SECTION 32-181 OF THE OCONEE COUNTY CODE OF ORDINANCES.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2020-24** on second reading.

Ordinance 2020-25 “AN ORDINANCE AUTHORIZING OCONEE COUNTY TO ENTER INTO AN ENERGY SAVINGS PERFORMANCE ARRANGEMENT, BETWEEN OCONEE COUNTY AND JOHNSON CONTROLS, INC., AND A RELATED LEASE PURCHASE ARRANGEMENT (NOT TO EXCEED \$3,400,000.00), BETWEEN OCONEE COUNTY AND ONE OR MORE LENDERS, EACH AS DESCRIBED IN SOUTH CAROLINA CODE ANNOTATED 11-27-110; AND OTHER RELATED MATTERS.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2020-25** on second reading.

First Reading for the Following Ordinances

Ordinance 2021-04 “AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 4 – 1 [Mr. Durham opposed], to approve **Ordinance 2021-04** on first reading.

Ordinance 2021-05 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 3 – 2 [Mr. Hart & Mr. Durham opposed] to approved **Ordinance 2021-05** on first reading.

Ordinance 2021-06 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Davis, approved 3 – 2 [Mr. Hart & Mr. Durham opposed] to approved **Ordinance 2021-06** on first reading.

First & Final Reading of the Following Resolutions

None at this meeting.

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Discussion Regarding Action Items

Consignment & Wear Parts for the Oconee Quarry / Rock Quarry / \$ 99,000.00

Budget: \$99,000.00 / **Project Cost:** \$99,000.00 / **Balance:** \$0.00

On July 21, 2020 Council approved an estimated \$200,000.00 for the purchase of wear and consignment parts, as needed, for the Sandvik Mobile Crushing plant to Screen Tech, LLC. The Rock Quarry has spent, to date, \$86,355.93 with Screen Tech, LLC and \$14,579.46 with Sandvik for consignment and wear parts for a total amount of \$ 100,935.39.

The support received from Screen Tech, LLC has not met the Rock Quarry's expectations or needs. Staff is requesting approval to purchase the needed wear and consignment parts from Sandvik Mining and Construction USA, LLC for the remainder of fiscal year 20-21.

The dollar amount requested is estimated due to not knowing what parts will be needed for the year.

It is the staff's recommendation that Council [1] approve the award for Sandvik wear and consignment parts, as needed, to Sandvik Mining and Construction USA, LLC in the estimated amount of \$99,000.00 for the remainder of FY 20-21 and [2] allow the Administrator to approve future year purchases directly from Sandvik Mining and Construction USA, LLC for service and sales; as long as, the amounts do not exceed amounts budgeted and approved by Council in future years for the Sandvik Mobile Crushing plant's repair parts.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to [1] approve the award for Sandvik wear and consignment parts, as needed, to Sandvik Mining and Construction USA, LLC in the estimated amount of \$99,000.00 for the remainder of FY 20-21 and [2] allow the Administrator to approve future year purchases directly from Sandvik Mining and Construction USA, LLC for service and sales; as long as, the amounts do not exceed amounts budgeted and approved by Council in future years for the Sandvik Mobile Crushing plant's repair parts.

Three (3) 2021 Ford F-250's with Utility Bodies / Roads & Bridges / \$128,475.00

Budget: \$185,933.59 / **Project Cost:** \$128,475.00 / **Balance:** \$57,458.59

This purchase is for three (3) 2021 Ford F-250 cab and chassis trucks with a Knapheide utility bodies for Roads and Bridges. They will be used in the daily operations of the Roads and Bridges Department. These trucks will be replacing a 2008 Ford F-150 (102.21), 2008 Ford F-250 (102.32) and 2006 Ford F-150 (102.38) which will be assigned to another department or sold as surplus via public auction or GovDeals. The Fleet Maintenance Director also approves this purchase.

SC State Contract Delivery Days After Receipt of Order states 180 days, therefore these vehicles will be delivered on or before July 19, 2021.

It is the staff's recommendation that Council approve the purchase of Three (3) Ford F-250's with utility beds to Dick Smith Ford, Inc. of Columbia, SC, in the amount of \$128,475.00, per State Contract.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve the purchase of Three (3) Ford F-250's with utility beds to Dick Smith Ford, Inc. of Columbia, SC, in the amount of \$128,475.00, per State

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Contract.

Two (2) 2021 Ford Escape SUV's / Assessor / \$51,808.00

Budget: \$60,000.00 / **Project Cost:** \$ 51,808.00 / **Balance:** \$ 8,192.00

This purchase is for two (2) 2021 Ford Escape SUV's to be used by the Assessor's Office. They will be used by staff to inspect properties within Oconee County for property assessment purposes. Santee Automotive, LLC of Manning, SC was awarded SC State Contract # 4400022504 for Compact Crossover/Wagon, Gas/Electric Hybrid SUV's. The new vehicles will replace aging, high-mileage vehicles currently used by the Assessor's Office. The vehicles being replaced will be reassigned to another department or sold as surplus at a later date. The Fleet Maintenance Director also approves this purchase.

SC State Contract Delivery Days After Receipt of Order states 120 days, therefore these vehicles will be delivered on or before May 20, 2021.

It is the staff's recommendation that Council approve the purchase of two (2) Ford Escape SUV's from Santee Automotive, LLC of Manning, SC in the amount of \$51,808.00, per State Contract # 4400022504.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the purchase of two (2) Ford Escape SUV's from Santee Automotive, LLC of Manning, SC in the amount of \$51,808.00, per State Contract # 4400022504.

Two Dodge Durango PPV's / Sheriff's Office / \$61,080.00

Budget: \$74,827.22 / **Project Cost:** \$61,080.00 / **Balance:** \$13,747.22

The Fiscal year 2020-2021 Capital Replacement plan includes two (2) Dodge Durango Police Pursuit Vehicles for the Sheriff's Office.

The new vehicles will replace high-mileage vehicles or vehicles that have been involved in accidents and deemed a total loss. The high-mileage vehicles being replaced will be sold as surplus or replace older vehicles used in other County departments. The Fleet Maintenance Director also approves this purchase.

Performance Chrysler Dodge Jeep Ram of Clinton, NC was awarded SC State Contract # 4400024877 for Dodge Durango PPV SUV's. SC State Contract Delivery Days After Receipt of Order states 90-120 days, therefore these vehicles will be delivered on or before May 20, 2021.

It is the staff's recommendation that Council approve the purchase of two (2) Dodge Durango Police Pursuit SUV's to Performance Chrysler Dodge Jeep Ram of Clinton, NC, in the amount of \$61,080.00, per State Contract # 4400024877.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the purchase of two (2) Dodge Durango Police Pursuit SUV's to Performance Chrysler Dodge Jeep Ram of Clinton, NC, in the amount of \$61,080.00, per State Contract # 4400024877.

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2021 Case 590SN 4WD Backhoe / Rock Quarry / \$105,659.07

Budget: \$105,659.07 / **Project Cost:** \$ 105,659.07 / **Balance:** \$0.00

This purchase is for a 2020 Case 590SN Backhoe that will be used to load small pickups and trailers, in a separate, safer, area from dump trucks and heavy equipment.

Due to recent fatal accidents in other quarries, MSHA recommends that quarries do not drive small vehicles in a large truck's potential path. Therefore, the Oconee County Rock Quarry is creating an area to load small pickups and trailers. This will keep them away from dump trucks and heavy equipment, which will provide a safer environment for the smaller vehicles.

It is the staff's recommendation that Council approve the use of fund balance for the purchase of a 2021 Case 590SN Loader Backhoe from Hill's Machinery of Greenville, SC in the amount of \$105,659.07, per State Contract # 4400020425.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve the use of fund balance for the purchase of a 2021 Case 590SN Loader Backhoe from Hill's Machinery of Greenville, SC in the amount of \$105,659.07, per State Contract # 4400020425.

Bountyland Substation / Emergency Services

On November 22, 2016 the County signed an agreement (Consensus Doc) with J. Davis Construction for the initial design development for the Oconee County Fire Services – Bountyland Substation; purchase order number 52579 was issued. This was awarded to J. Davis Construction under RFP 11-23, On-Call Design Build.

In March of 2017 it was decided that Facilities Maintenance would construct the Bountyland Substation and change order 1 to PO #52579 was issued to cancel the purchase order and pay expenses incurred to J. Davis Construction.

Staff proceeded with issuing purchase orders for materials to construct the building in-house. Roads and Bridges completed the majority of the site work and applied for the encroachment permit with SCDOT. The site distance was never verified and it is possible additional grading will be required to obtain the required site distance. If the proper site distance cannot be obtained, a flashing light will be required.

Early 2019, it was decided that the County would renovate a current structure, owned by the SDOC for the living quarters and a 2 bay garage would be built to house the equipment and fire trucks. Therefore, letters were issued in May 2019 canceling the purchase orders issued to vendors for materials for the in-house construction.

In October 2020, a decision was made to proceed with the Bountyland Substation project. Staff contacted J. Davis asking if they would consider picking back up where we left off when the project was canceled and J. Davis agreed. Since the project was started with J. Davis under RFP 11-23, On-Call Design Build and front end documents and costs have already been established, provided, and paid for, it is staff's recommendation to negotiate with J. Davis Construction to resume the agreement (Consensus Docs) and construct the building under the RFP 11-23, On Call Design Build.

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Once a construction cost is established, staff will return to Council requesting approval for construction.

It is the staff's recommendation that Council approve moving forward with J. Davis Construction, Inc. of Westminster, SC for the construction of the Bountyland Substation.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 4 – 0 [Mr. Davis abstained; form filed with minutes], to approve moving forward with J. Davis Construction, Inc. of Westminster, SC for the construction of the Bountyland Substation.

County Committee Reports

Mr. Cain read from a prepared statement [copy filed with these minutes] outlining the discussions held at the December 15, 2020 Planning & Economic Development Committee.

Board & Commission Appointments

Aeronautics Commission

Mr. Durham made a nomination, approved 5 – 0, to appoint Mr. Dan Suddeth as the District II representative on the Aeronautics Commission.

Mr. Davis made a nomination, approved 5 – 0, to reappoint Mr. Marion Lyles as the District IV representative on the Aeronautics Commission.

Mr. Davis made a nomination, approved 5 – 0, to appoint Mr. David Bryant as the At-Large representative on the Aeronautics Commission.

No nominations were made for the District V Aeronautics Commission seat during this meeting.

Agricultural Advisory Board

Mr. Davis made a nomination, approved 5 – 0, to appoint Ms. Ashley Townsend as the District IV representative on the Agricultural Advisory Board.

Mr. Hart made a nomination, approved 5 – 0, to appoint Mr. Charlie Whiten as the District V representative on the Agricultural Advisory Board.

Mr. Davis made a nomination, approved 5 – 0, to reappoint Mr. Rex Blanton as the At-Large representative on the Agricultural Advisory Board.

No nominations were made for the District II Agricultural Advisory Board seat during this meeting.

Arts & Historical Commission

Mr. Davis made a nomination, approved 5 – 0, to appoint Ms. Melody Davis as the District IV representative on the Arts & Historical Commission.

No nominations were made for the District II Arts & Historical Commission seat during this meeting.

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Board of Zoning Appeals

Mr. Durham made a nomination, approved 5 – 0, to reappoint Ms. Gwen Fowler as the District II representative on the Board of Zoning Appeals.

Mr. Davis made a nomination, approved 5 – 0, to reappoint Thomas “Marty” McKee as the District IV representative on the Board of Zoning Appeals.

No nominations were made for the District V and At-Large seats during this meeting.

Library Board

Mr. Davis made a nomination, approved 5 – 0, to appoint Ms. Shelby Henderson as an At-Large representative on the Library Board.

Mr. Elliott made a nomination, approved 5 – 0, to appoint Mr. Charles Holcombe as an At-Large representative on the Library Board.

Mr. Davis made a nomination, approved 5 – 0, to reappoint Ms. Allison Griffin Addison as an At-Large representative on the Library Board.

Mr. Davis made a nomination, approved 5 – 0, to appoint Ms. Nivia Miranda as an At-Large representative on the Library Board.

Mr. Davis made a nomination, approved 5 – 0, to appoint Ms. Liz Kuemmerer as an At-Large representative on the Library Board.

Planning Commission

Mr. Durham made a nomination, approved 5 – 0, to appoint Mr. Dave Nix as the District II representative on the Planning Commission.

Mr. Davis made a nomination, approved 4 – 1 [Mr. Hart opposed] to reappoint Mr. Frankie Pearson as the District IV representative on the Planning Commission.

Mr. Cain made a nomination, approved 5 – 0, to reappoint Mr. Mike Johnson as the At-Large representative on the Planning Commission.

Executive Session:

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discussion regarding an Economic Development matter, Project Rise.

[2] Discuss personnel matter regarding County Administrator, including performance review.

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Council entered Executive Session at 7:36 p.m.

Council returned from Executive Session at 8:17 p.m. on a motion made by Mr. Davis, seconded by Mr. Cain, approved 5 – 0.

Mr. Elliott stated no action was taken during Executive Session.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to confirm the County Administrator’s performance of excellent and confirm the contractual raise amount of \$5,000 which is embedded in the current contract and also to pledge Council’s support to provide the County Administrator with needed support staff.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:18 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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OCONEE COUNTY COUNCIL
RECUSAL FORM

Council Member Name: Julian Davis, III
(Please Print)

Council Member Signature: [Handwritten Signature]

Meeting Date: 01.19.2021

Item for Discussion/Vote: Bourstyland Substation /
Emergency Services

Reason for Recusal I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: Cousin owns business

I have no financial interest
in his business

Katie B. Smith
Katie Smith
Clerk to Council